TUESDAY, DECEMBER 15, 1903.

Subscriptions by Mail. Postpaid. DAILY, Per Month DAILY. Per Year ... SUNDAY, Per Year... DAILY AND SUNDAY, Per Year... DAILY AND SUNDAY, Per Month Postage to foreign countries added THE SUN, New York City.

PARIS-Klosque No. 12, near Grand Hotel, and osque No. 10, Boulevard des Capucines.

If our friends who favor us with manuscripts fo wish to have rejected articles returned, they must in all cases send stamps for that purpose.

The Story of a Difficult Blend of Tea.

For several days we have been attending to statements of alleged fact contained in the remarks attributed to the Governor of New York by our neighbor, the New York World. We have set against these statements, in due succession, the testimony of witnesses whose veracity we believe to be unimpeachable. The result seems to be unfortunate for the Chief Magistrate of the Empire State.

This process of resolution and evaporation is now interrupted in order to allow Mr. ODELL to say a few words about his own conception of public duty and private graft. Unconsciously, as reported by the World, he has given us a psychological portrait of himself which even those artists who know most accurately the intimate depths of his moral nature will find it hard to improve

Mr. ODELL is reported by the World as denying that he holds any longer a pecuniary interest in the profits of the Newburgh grocery establishment of MATHEWS & Co. He has been paid, he says, the money loaned to MATHEWS on grocery stock as collateral and is now "not even a stockholder of record. I have no interest in his business," he adds, "direct or indirect." And by way of proof he continues:

"To show you how absurd THE SUN's insinuations are. I have only to give one incident. Mr. MATH EWS made a tea contract with the State under the so-called joint contract system. A sample tea required by the State was submitted to him as well as to all the other contractors. Mr. MATHEWS agreed to furnish that kind of tea at a certain price. It was a dimcult blend of tea to furnish, and his supplies did not come up to the sample.

The matter was brought to my attention; and I gave orders that Mr. MATHEWS must comply with his contract and furnish tea according to the standard. He had to go to the State expert and have him fill the contract. He lost a good deal of money by that transaction.

"I would hardly have inflicted that loss on him if I were interested in his business.".

In other words, he would hardly have let his sworn duty as Governor interfere with his pecuniary profit as groceryman; and he offers this as proof that he could not have been pecuniarily interested then in MATHEWS'S profits and losses on difficult blends of tea.

Comment can add little or nothing to the force of this unconsciously frank self-exhibition.

What an argument of innocence is the unexpected statement by Mr. ODELL of what he would have done as Governor to protect Mr. MATHEWS in the matter of the incident of the difficult blend of State tea, if the Governor had been at that time still a partner in MATHEWS'S grocery business!

We are inclined to accept the Governor's word in this particular instance.

Mr. Teller on the Maine.

The Hon. HENRY MOORE TELLER of Colorado is an independent and versatile citizen, who has accumulated a considerable stock of opinions of his own. It appears from his remarks in the Senate, Dec. 12, that he has done a little inquiring of his own in regard to the causes of the disaster to the Maine and has quashed the findings of the other Board of

" Nobody knew and nobody can prove and never did prove, and it cannot be proven to-day, that either Cuban or Spaniard had anything to do with the blowing up of the ship. I heard one of the best military men now in the service of the United States say within a month that he believed the ship was its stock ownership of the Baltimore and Ohlo, blown up by the powder that it had on board, which went off without any action of Cuban or Spaniard Of course, nothing has been proved as

to the nationality of the blower-up. Most Americans do accept as proved the conclusions of the Board of Inquiry. We Infer from Mr. TELLER'S words that he agrees with "one of the best military men now in the service of the United States" that the ship was slain with her own powder. But why did Mr. TEL-LER consult a military man as an expert on naval affairs? There is a great civilian who holds and will ever hold that the Maine exploded from the inside. Undoubtedly Mr. TELLER has received

or will receive this week a letter of congratulation from one of the best letterwriting men now in the United States, the Hon. GAMALIEL BRADFORD of Massachusetts.

Below Fourteenth Street.

The church attendance in Manhattan enumeration made on the first Sunday in this month, is much less proportionally to the population than in other parts of the town.

Very likely, but as this region is the seat of the Ghetto, with its hundreds of thousands of Jews, mere church attendance affords no indication of the relative regard for religious observance.

Originally this part of the city was predominantly Protestant. All the great Protestant churches of the town were situated in it: but with the incoming of the Irish and German immigration, beginning at about the middle of the last century, the district experienced a very radical religious change. Gradually the most of the important Protestant churches followed their congregations to the northward and Roman Catholics held the field. About twenty years ago, another change in the population began to take place. A great immigration of Jews poured into the district, the populous Ghetto was built up and Catholic residents moved out very largely.

The voluntary association which took this census of church attendance estimates the number of Jews at three hundred thousand. Probably it is more. The

Federation of Churches, whose social criterion of character, and GEORGE and religious statistics are much more deserving of respect, estimates the number of Jews in the whole city at 675,000, of whom something like two-thirds are congregated chiefly in the East Side

Ghetto below Fourteenth street. 78,288 out of a total of 104,261. That is a dition of admission an agreement on the fact of significance brought out by the census.

It indicates that, as concerns Christianity, Roman Catholics are still predominant in the lower part of New York; but if the estimate of the Ghetto population of the district is correct, the Jews are still more numerous. According to 1,850,093 in the whole Manhattan borough, 686,578 lived below Fourteenth is situated.

The Northern Securities Case.

In his brief for the Government in the great case which went to final trial yesterday in the Supreme Court of the United States, Attorney-General Knox declares that it is hardly possible to conceive a more effective method of combining competitive interests, and thus suppressing competition between naturally competing corporations, than that which was adopted in the so-called merger of the Great Northern and Northern Pacific railway companies.

The possibilities of intellectual conception are not fairly measured in this opinion of the Attorney-General. It is not only possible to conceive, but it is also easy to cite, as matters of experience and record, combinations in restraint of competition which are far more effective and thorough-and, in consequence, far more illegal in the view of the Federal Anti-Trust act-than that which now occupies Mr. KNOX'S attention. In the able brief of Mr. GEORGE B

Young of counsel for the Securities Company, this possibility is illustrated by a striking catalogue of actual consolidations of naturally competing lines by the more effective method; and this in many instances since the Anti-Trust law was enacted. Here are four examples from Mr. Young's list:

"1. The Boston and Maine Company has enlarged its holdings in other companies and systems until it controls by ownership the stock of such companies competing with it or with each other; not only the only two-rail lines between Boston and Portland, but every line between either of these cities and Montreal and Quebec, save only the Grand Trunk Railway of Canada, running from Portland to the two last named cities. "2. The New York and New Haven operates by

ownership and lease the Shore Line from New York to Boston; by lease and ownership of all the stock, the competing New England road; by ownership, about two-thirds of the Springfield line. It operates the Norwich rail and water line between New York and Boston. It operates the Stonington rall and water line between New York and Boston And it operates the celebrated Fall River rail and water line between the same cities by lease of the Old Colony Railroad, in which company it has a large stock interest, and by virtue of its ownership of a majority of the stock of the steamboat com

"S. The New York Central, while still holding its company, has leased perpetually the Rome, Water town and Ogdensburg road, a corporation doing a competing interstate business; and has acquired directly nearly all the stock of two (and indirectly a majority of the stock of a third) interstate competing lines, each extending and doing an immense business between Buffalo and Chicago; viz., the Michigan Central, the Lake Shore and the Nickel Plate: also a majority of the shares of two other interstate roads competing with the two last mentioned and with each other, the 'Big Four' and the

Lake Erie and Western. "4. The Pennsylvania Railroad Company has acquired the stock control of the Baltimore and Ohio, the Chesapeake and Ohio and the Norfolk and Western companies and has unified competing interests to an extent surpassing anything done by any other company in that direction. And by with its 'Royal Blue' competitor of the Pennsyl vania line between New York and Washington and of the other lines, it has come to pass that no officer of the United States Government-no mem ber of this court-can go by rall to or from Wash ington except upon one of several lines originall competing, but now either owned or leased by the Pennsylvania, or operated by a company in which the Pennsylvania owns a majority of the stock."

Those four examples of that more effective method of consolidation in restraint of competition which Mr. Knox's intellect is unable to conceive concern only one aspect of the great case in which the right to purchase and hold property and many other fundamental and natural rights of citizenship are directly

The President on Immigration and Naturalization.

Among the noteworthy features of the President's message are his references to proposed changes in our immigration and naturalization laws. We should below Fourteenth street, according to an like him to have been more definite with regard to remedies, but he evidently assumes that his whole duty is discharged when he points out distinctly the existing shortcomings in legislation and calls upon Congress for revision and

improvement. Of course, as Mr. ROOSEVELT says we receive some immigrants who are by no means likely to become desirable citizens of the Republic. How are such persons to be excluded? The President does not say. He refrains from expressing any opinion concerning the bill introduced by his friend Senator LODGE. who would make illiteracy a bar to admission. As we have formerly said, a review of our national history during at present to yank large numbers of the last half century vindicates Mr. CLEVELAND'S unwillingness to accept such a test. Had illiteracy shut out immigrants during the thirty years following 1846, we should have been deprived of many hundreds of thousands of Irishmen and Germans whose descendants are now numbered among our most useful and worthy citizens. It is hard to see, moreover, how, under such circumstances, our great trunk railway lines could have been built. It is a matter of

ELIOT in "Felix Holt" confesses a grave doubt whether it is one of intellect.

It is also true, as Mr. ROOSEVELT avers in his message, that at the present time in the borough of Manhattan alone and some districts of our country which need immigrants receive none, while in other districts where the population is al-A comparison is made in the census | ready congested, immigrants come and between the percentages of Catholic stay in such numbers as to depress the and of Protestant churchgoers, but it | conditions of life for those already there. is manifestly misleading, for the whole | The President does not suggest, how-Catholic population is counted and only ever, any mode of improving the disthe Protestant church membership. tribution of immigrants by law, and he Actually, more than three-fourths of would find it difficult to do so. Suppose the church attendance was Catholic, or a law were passed prescribing as a convery significant fact, and it is the only part of immigrants to go to a particular section of the Republic, and to remain there for a term of years. It is obvious that elaborate and costly machinery would be requisite to enforce the agreement; and the enforcement would practically bring about a state of peonage or serfdom. It was the specific characteristic of a serf that he was adscriptus the census of 1900, out of a population of glebæ-tied to a particular locality. Evidently the distribution of immigrants must be left to the operation of the law street and nearly five-sixths of them in of supply and demand. Soon or late the East Side districts where the Ghetto | they are likely to drift to that part of the country in which the highest wages is paid for the kind of work that they are able to perform.

Mr. Roosevelt may not exaggerate the extent to which the naturalization of immigrants is vitiated by fraud in a good many parts of the Republic. It should, indeed, mean something to become a citizen of the United States; and, in the process of attaining the high privilege, no loopholes should be left for fraud. Among the methods by which the franchise is defiled are the following: The forging of false certificates of citizenship in their entirety; the filling in of genuine certificates, fraudulently or collusively obtained in blank; the procurement of certificates on false statements as to time of arrival and length of residence; the imposition and substitution of an unqualified applicant for the real and qualified petitioner; the corrupt transfer of certificates from their rightful owners to persons not entitled to vote. Every one of these criminal practices can be detected, punished and prevented; and, while the President does not say how, he directs the attention of Congress to some important suggestions on the subject lately presented by the Federal Grand Jury in New York city.

The immigration laws should be very carefully handled, lest a so-called remedy should prove worse than the disease. On the other hand, a drastic reform of our naturalization laws would be relatively

Secretary Root at the Wallow.

Everybody may be sure that injustice is done to Secretary Root by the interpretation which many newspapers are night at a social function described as a "wallow." His audience at the wallow was largely composed of officers of the army and navy.

At this gathering Mr. Root seems to have uttered some spirited but entirely proper remarks on the need of the hearty cooperation of the two services, in the event of war with a foreign Power. When such a conflict occurs, as it is almost certain to occur in the indefinite future, Mr. Root expects the army and navy to stand shoulder to shoulder.

We likewise expect a patriotic juxtaposition and cooperation of the two arms of the republic's defence. Few citizens, if any, expect anything else of the American Army and the American Navy. The Secretary's remark might almost be criticised as platitudinous, if he had not phrased it with his accustomed elegance

of diction. But this is a very different thing from predicting war, or declaring that in his opinion war with a foreign Power must soon occur, or discussing our international relations as if the danger of war was imminent. There is not the slightest reason to suppose that the Secretary's remarks were inspired by any other sentiment than that which naturally arose from the spirit of good comradeship at the wallow.

It is interesting to note how much graver significance is attached, throughout the country, to a casual remark of this kind from a statesman of Mr. Root's well recognized habits of measured utterance, than would be the case if he were an impulsive and inconsiderate speaker. On this occasion, however, he has been misinterpreted through no fault of his own.

Mr. Benny's Maiden Speech. We have already had the happiness of describing the attack of the Hon. ALLAN BENNY of Bayonne, N. J., upon the Hon. WILLIAM PETERS HEPBURN of Clarinda, Ia., in the House of Representatives last Friday, and the amazed and precipitate flight of the Iowa heavy dragoons from the Jersey light horse. The Congressional Record of Dec. 12 contains Mr. BENNY'S maiden speech in its full beauty. The House being in Committee of the Whole on the State of the Union and having under consideration the Pension Appropriation bill, Mr. BENNY, after driving out Mr. HEPBURN, considered the state of the labor unions and the tariff. In the absence of the gentleman from Iowa, he asked him "as a loyal Republican, to bow to the statement of the Hon. CARROLL D. WRIGHT, who says there are 1,000,000 men in the country out of work." If Mr. WRIGHT makes such an assertion, there will be a good many heads that will decline to duck to it. A round million may be a convenient form for statistics to assume, but they are much more conclusive when a little less general. It is, however, a fashion of the labor leaders workmen out of their jobs for the purpose of enforcing some sacred principle, not connected with wages, and keeping employers docile.

Mr. BENNY's innocency of soul appears

in this question of his: " If, as the gentleman maintains, there is a comensating wage for every man who will perform a day's labor,' how is it that in many parts of our country workingmen are striking for a wage that will be a suitable return for their day's labor?"

Mr. BENNY has a sympathetic heart, common experience that illiteracy is no but his eyeteeth are not cut if he has not yet discovered that strikes for such a plain proposition as higher wages belong, in the main, to a simpler period in the evolution of labor unions. But we like to see his eye kindle when he says that in the words of JOHN HAY, every sympathizer with the downtrodden should continue to pray:

'Wherever man oppresses man Beneath Thy liberal sun, O Gop! be there Thine arm made bare, Thy righteous will be done!

The men who are working in Colorado under the protection of the militia, the non-union Chicago conductors and motormen who are working under no very efficient protection of the police, need that prayer.

Statistics are thrown about by Mr. BENNY with all the confidence of the budding genius of the debating society. After handing out a handful, he cries:

"Add all these items up and you will see by these cent. of the people; the other 50 per cent. of our people, or in round numbers 40,000,000 souls, owning absolutely no part of the country's great wealth."

Another nice round number. Did it ever occur to Mr. BENNY how many babies in arms own no part of the coun try's wealth? Still, although the distribution of

wealth, as his statistics distribute it, vexes him, he is too young to be a pessimist, and he perorates amiably and praverfully: "Where can you match the American man? Where

God bless her, can you equal the American woman? Nowhere on this earth: her equal does not live: she stands alone, the highest type of Gon's handiwork: and with the American man on the throne and the American woman the power behind him Gop grant that this great land may continue to go on and on, each year exceeding in the general prosperity of all our people the years that have gone

And the Hon. ALLAN BENNY will continue to go on and on, too.

It was the vote of the delegate from Hawaii in the committee on resolutions of the Democratic national convention of 1900 that won the day for WILLIAM J. BRYAN and the plank demanding the free and unlimited coinage of silver at the sacred ratio of 16 to 1. What the platform might have been had this delegate not been admitted to vote in the committee is an entertaining subject for conjecture. Probably there would have been a big rumpus in the convention. The application of the Porto Rican Republicans for admission to the Republican national convention of 1904, and the suggestion that delegates be invited from the island of Luzon, if they are agreed to, will raise questions as to these delegates' rights to vote that will take all the diplomacy of the party managers to settle satisfactorily.

If delegations from Luzon are admitted to the national conventions of the two great parties, it is to be hoped that they will be composed at least in part of Filipinos and not of Americans who have gone to the islands. To attend a national convention and watch the machinery by which putting on an informal speech delivered a candidate is placed before the people by him in Washington on Saturday as the choice of a party for the highest honor in the gift of the nation is a liberal education in the practical management of public affairs which would not be lost upon the keen and observant Filipinos.

> The call has been issued by the chairman of the Democratic national committee for the meeting to decide upon the time and place for holding the Democratic national convention of 1904. The committee wil meet in Washington on Jan. 12.

> The recent usage of the Democratic national committee has been to hold the national convention later than the rival or opposing Republican convention. In 1868 the Democratic convention was forty-five days later; in 1872, thirty-five days; in 1876. thirteen days; in 1880, twenty days; in 1884 thirty-five days; in 1888, fourteen days; in 1892, fourteen days; in 1896, twenty-two days, and in 1900, fifteen days. Practically, therefore, the Republicans fix the date of both conventions, their own actually, and the Democratic convention approximately There is a precedent for holding two conventions in the same city. It was done in 1884, when both Presidential tickets were nominated in Chicago, but this is unusual.

Since the Democrats have had the Republicans as their political competitors there have been four Democratic national conventions in Chicago, two in Cincinnati and in St. Louis, and one each in New York Baltimore and Kansas City.

An Eastern city as the place of meeting of the Democratic national convention will be strongly urged upon the Democratic national committee when it meets on Jan. 12. The fact that there has been no such Democratic convention in the East for more than thirty years may possibly prove an effective argument for the selection of a convention city in a State likely to give its electoral votes to the Democratic candi-

A political call from the wild, or rather perhaps, a feeble call from the politically wild, comes from Memphis. It is the call of Chairman J. A. PARKER of the "national committee of the Allied People's party" for a meeting of that national committee in St. Louis on Feb. 22, 1904, to name a date and place for their national convention.

A Verbal Correction.

TO THE EDITOR OF THE SUN-Sir: Your newspaper is known for its correct use of words. I, who know all the facts, content that the use of the word "succeed" in the following paragraph in an article in Sunday's SUN is Wrong:

It was in "280" in 1894 and 1895 that Senator Plate thwarted Governor Odell's plot to succeed Charles W. Hackett as chairman of the State committee Senator Platt had made Governor Odell chairma Hackest was not in robust health and Odell couldn' wait for him to die. Mr. Odell did not plot to "succeed" Mr.

Hackett; he plotted to supplant Hackett at that time. You should have used the word 'supplant" and not the word "succeed." J. J. NYACK, Dec. 14.

Hardships of a Generous Man. TO THE EDITOR OF THE SUN—Sir: Although my means do not permit of the many little luxuries of

people who think in hundred millions-I am only common everyday American millionaire—yet it has been my custom for years to put crisp ten thousand dollar bills in the stockings of my friends and relatives at Christmas time. Upon calling at the Sub-Treasury last week for a bunch of new bills of the denomination mentioned, was informed that the supply was very limited. and was obliged to content myself with a paltr

exceeded the supply. If the hundred-million class continues to grow at such an alarming rate it behooves the United States Treasury officials to print more ten thousand dollar bills for Christmas circulation, or many deserving people will be disappointed. Trusting THE SU, which shines for all, will print this complaint, sign myself, regretfully. ONLY A MILLIONAIRE.

> No more can family skeletons Within the closets bide: A fat and chuckling Santa Claus Now locks himself inside

NEW YORK, Dec. 12.

THE ROMAN CATHOLIC CHURCH. Amplitude of Freedom of Thought Or

side of Faith and Morals. TO THE EDITOR OF THE SUN-Sir: me, as a Catholic layman, a word in relation to the communication of the anonymous person signing himself "Free Speech" in THE SUN of Nov. 24. First of all, I desire to say that as the quon

lam editor of a Catholic journal for a decade of years I found no ecclesiastical trammels put upon my utterances, and in many matters I criticised freely and vigorously. During this period I had an intimate acquaintance with the Catholic press, and I found it any-thing but muzzled. Indeed, I often wondered at the elastic quality of episcopal toleration. In some instances I have witnessed a license of speech that in the premises would have fully justified rebuke.

There have been, it is true, occasions when clesiastical authority has been exercise without due warrant, but these have been rare exceptions. Bishops are human, and in the application of disciplinary measures may have, and no doubt have, made misakes. But this by no means gives a premise for the sweeping conclusion that speech is tyrannically gyved within the Catholic body. On the whole, my observation and experience have shown me that outside of

body. On the whole, my observation and experience have shown me that outside of matters of faith and morals and their corollaries (for within these limits there is no room for mere opinion), there is within the Catholio Church an amplitude of freedom which would more than satisfy an intellect of the widest range. I may note, by the way, that the less the intellectual power, the more notable the disposition to chafe at hypothetical limits.

When the question of the right of a priest to utter his views as he pleases in public is touched upon there are other considerations to be taken into the account. A priest, I take it, is under an especial discipline by his very calling, just as an army officer is. Outside of the question of noblesse oblige, which always gravely weighs with a man of honor, the obligation of public reticence upon the part of army officers in the way of criticism of the acts of their superiors is, I believe, a universal principle of military codes. The subaltern who would criticise his superiors in the public prints would, I imagine, find short shrift. Nor could it be said, in view of the serious exigencies of discipline, that the infliction of due penalties in such an instance would be despotic suppression of free speech. I notice among army officers even in private a fine reticence in regard to the policies and measures of their superiors.

It may be said that the position of a Catholic priest is perfectly analogous. He is a subaltern in a great army, and has taken special vows and assumed special obligations which bind him in a way in which a layman is not bound. When he rushes into public print with his grievances and appeals to the profanum vulgus he violates the essential spirit of his calling. When it is known that there is an ample canonical remedy in the proper way of procedure his clamorous recourse, especially under an anonym, to the public ear, comes nothing short of disloyalty and cannot fail to be a soandal to the laity.

A person so disaffected as your correspondent signing himsel

and it is wide, have I found the clergy of the temper which your anonymous correspondent evinces. I see no better evidence of the wisdom of the salutary discipline of the Church than the rash and uncritical judgments of your clerical correspondents who seek ignominious refuge under anonyms. People possessed of such free-lance craticism would find themselves more at home in a Church where discipline has been reduced to a nullity. To enter sweeping judgments of condemnation in the public prints upon this or that measure of ecclesiastical discipline without due consideration and presentation of their particular attendant circumstances, in an appeal to the ignorance of the public, bespeaks not only a lack of judicial balance and of a sense of fair play, but betokens in a priest a sad failure to appreciate the dignity and the primary obligations of the sacerdotal office. CONDE B. PALLEN.

In view of the volume of the correspondence received at this office regarding the questions raised by "Sacerdos" it has been our attempt to confine the discussion, as far as possible and on both sides, to letters written by Roman Catholic priests. Each ide of the controversy has had the same treatment and equal opportunities. At the request of Archbishop Farley, however, we give space with pleasure to the foregoing nication from a layman.

LIVELY KEYSTONE POLITICS. Gov. Pennypacker's Candidacy for the Supreme Court and Its Effects.

PHILADELPHIA, Dec. 13. - The candidacy of ship of the Supreme vania if carried forward to a nomination by the Republican State committee, will make the politics of this State interesting during the coming months. The facts, briefly, are as follows: Samuel W. Pennypacker was mominated and elected Governor of Pennsylvania for a term of four years, beginning in January, 1903. During the month of October, 1903, the Hon. J. Brewster McCullum, a Justice of the State Supreme Court, died, and about the last week in November, 1903, the Governor appointed the Hon. Samue Gustina Thompson to fill the vacancy. Judge McCullum being a Democrat, the Governor very properly appointed a Democrat as his successor. On Dec. 7, 1903, in a carefully prepared letter, Gov. Pennypacker, with three years of his term yet unexpired, announced himself as a candidate before the Republican State convention for Justice of the Supreme Court, and the following day the Premier of the Pennypacker administration, Israel W. Durham, announced that he would support Gov. Pennypacker's candidacy. This guaranteed his nomination.

The Constitution of Pennsylvania provides that: "No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under the Commonwealth." There is no such provision for the Governor not taking office.

The candidacy of Pennypacker for Justice of the Supreme Court, while exercising the duties of Governor, will give the Independents of the State the opportunity they desire to build up-an organization that will enable them to make a winning fight against Senator Quay. The Citizens' Association of Philadelphia, of which John H. Converse of the Baldwin Locomotive Works is president and Mahlon N. Kline secretary, will unite with the Citizens' Association of Pittsburg's Republicans as the candidate for Senator-very likely Henry Clay Frick—and Sanuel G. Thompson, Democrat, of Philadelphia, for Justice of the Supreme Court in opposition to Matthew Stanley Quay-and Samuel G. Thompson, Democrat, of Philadelphia, for Justice of the Supreme Court in opposition to Matthew Stanley Quay-and Samuel G. Thompson, Democrat, of Philadelphia, for Justice of the Supreme Court in opposition to Matthew Stanley Quay-and Samuel G. Thompson, Democrat, of Philadelphia, nominated and elected Governor of sylvania for a term of four years, beginning

ernor in 1894 by a majority of 241,897, wherenor in 1894 by a majority of 241,897, where the prestige of a nation of the commonwest that the commo honorably identified with the Commonwealth even before it became a State of the Union; with all the renown that came from 146 of the name of Pennypacker having served in the War of the Rebellion, and with a general belief that the State would be honored by his election, obtained only 142,350 majority—just 29,047 less than Hastings.

Northern Opinion on Southern Questions. From the Fort Worth Record.

What a pity it is that other Northern journal not follow the sensible example of THE SUN! as all readers of that paper know, it is as relentles fighter as any when it has anything to fight for elling wit and powerful logic on this abuse or that and usually it achieves results. But the men who conduct it have a sufficient amount of commo that a policy or an institution need not be anathe ed simply because it is Southern. When the whole press of the North shall show the same broad, fair-minded spirit as is exhibited

by THE SUN, the so-called race problem will be such nearer a solution than it is now The Art of Growing Young

From the Springfield Union.

To retain the spirit of youth while age weakens the body is a splendid thing. There are those o whom we say "he never grows old." Their hat may be whitened, their faces wrinkled and their shoulders bent, but in heart they are young. If "their strength is labor and sorrow," their lively interest in the things that concern those of younger generations gives no indication of it. derest and inmost thoughts may be of the past, but

> The Rod. From the Brooklyn Times. "Spank the kids." Nick Butler says,
> "Let your hearts be stony.
> I was spanked when I was young,
> And now I'm Mayor Low's crony." "Spare the rod," Bill Maxwell cries,
> With humor sharp and subtler.
> "Spank the teachers, spare the boys,
> They might grow up like Butler."
> T. W. J.

HAS THE SPOONER ACT BEEN VIOLATED?

Comprehensive and Intelligible Statement of the Panama Case.

TO THE EDITOR OF THE SUN -Sir: Mr. John R. Dos Passos in a letter recently printed in THE SUN charges that President Roosevelt and Secretary Hay in recognizing the Republic of Panama and negotiating with it a treaty for the territory necessary for the construction of the Panama Canal violated the Spooner act and the Treaty of 1846 between this country and New Granada; and that moreover they conspired with the revolutionists "to steal the territory of Colombia and to forever prevent her from recovering it."

These are grave charges, and coming from a lawyer of recogizned ability and standing in his profession are entitled to serious

The enactment of the Spooner act was the sulmination of a long and exhaustive discussion as to the relative merits of the Panama and Nicaragus routes for an Isthmian canal. It was passed for the purpose of declaring the preference of Congress for the Panama route and of providing the funds necessary for the construction of the canal over that route if a satisfactory title could be obtained

But the fourth section of the act provided: Should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in Sections 1 and 2 of this and the rights mentioned in Sections I am 20 times act within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, operation and application of a costal connection, the Caribbean protection of a canal connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the Nicaragua route, shall through the said Isthmian Canal Commission cause to be ex-cavated and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea nea Greytown by way of Lake Nicaragua to a point near Brito on the Pacific Ocean.

Negotiations were opened with Colombia for the desired territory, but she refused to cede it upon "reasonable terms," and there-upon a condition of affairs arose that Congress ad not foreseen and had not therefore provided for. The people of Panama, outraged by the sacrifice of their most vital interests by the Colombian Government, rose as one man, threw off its yoke, proclaimed their in-dependence, organized a provisional government, cleared the Isthmus of every vestige of Colombian authority and established the authority of the new State throughout the land What then was the status of this new State? I quote from Dana's Wheaton:

A new State springing into existence does n require the recognition of other States to confirm its internal sovereignty. The existence of the de facto State is sufficient in this respect to establish its sovereignty de jure. It is a State because i

The external sovereignty of any State, on the other hand, may require recognition by other States in order to render it perfect and complete. So long indeed as the new State confines its action to its own citizens and to the limits of its own territory t may well dispense with such recognition. Bu if it desires to enter into that great society of na-tions all the members of which recognize rights to which they are mutually entitled and duties which they may be called upon reciprocally to fulfil such recognition becomes essentially necessary to the complete participation of the new State in all the advantages of this society. Every other State is at liberty to grant or refuse this recognition subject to the consequences of its own conduct in this respect. In accordance with these principles Paname asked recognition from the foreign Powers

The United States promptly granted it France and Germany followed quickly, and at this date all the great Powers have acknowledged the independence of the nev State, with the exception of Great Britain which is only holding back in order to secure from Panama the assumption of a part of the debt due from Colombia to British creditors The consensus of the representative states men of the world seems therefore to justify the President's action in this respect. Mr. Dos Passos, however, asserts that

was the duty of our Government to have assisted Colombia in suppressing the Paname revolution, because, as he contends, it is bound by the Treaty of 1846 to guarantee the sovereignty of Colombia, as the successor of New ranada, over the Isthmus. The question as to the extent of the obligation of the United States under that treaty arose as far back as 1862, when the Colombian

Government applied to it for aid in suppress ing an insurrection on the Isthmus at that time. In reply Mr. Seward, then Secretary of State, wrote to Mr. Burton, our Minister

The question which has recently arisen under the thirty-nfth article of the treaty with New Granada as to the obligation of this Government to comply with a requisition of the President of the United States of Colombia for a force to protect the 1sth mus of Panama from invasion by a body of insur gents of that country, has been submitted to the consideration of the Attorney-General [Speed]. His opinion is that neither the text nor the spirit of the stipulation in that article by which the United States engages to preserve the neutrality of the Isthmus of Panama imposes an obligation on this Government to comply with a requisition like that referred to. The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign Power only. It could not have been contemplated that we were to become a party to any civil war in that country by defending the Isthmus against another party. As it may be pre umed however that our object was to secure the freedom of transit across the Isthmus, if that freedom should be endangered or obstructed the employment of force on our part to prevent this termined by circumstances.

It will be seen from the last sentence of this extract that Secretary Seward anticipated that there might come a time when the free dom of transit would be endangered or ob structed, and declared that in such a case "the employment of force on our part to prevent this would be "a question of expediency, to be determined by circumstances. It was just such a case that the President

revolution. The obstruction of the freedom of transit was certain if the opposing parties were allowed to engage in a civil war on the and impartially by ordering our naval com manders to "prevent the landing of any arme force with hostile intent, either Governmen insurgent, at Colon, Porto Bello or other By this resolute action peace was point." preserved on the Isthmus and the guarantee of the United States as to the freedom of tranait was fulfilled. It was one of these critics occasions to which Lewis Cass alluded when he said in the Senate, "there are cases of emergency, both in the lives of communities and individuals, which demand speedy an decisive action; cases when promptness is wisdom and when timid counsels are sure The guarantee clause of the Treaty of 1846

as interpreted by Attorney-General Speed, was a pledge on our part to enforce the Monroe Doctrine against the outside world; but if his interpretation was wrong and that of Mr. Do Passos is right, then the United States, which owes its own existence to a successful revo ution, is bound by that guarantee to main tain the sovereignty of Colombia over the Isthmus under all circumstances and to suppress all revolutions against it, however great the provocation or however righteous he cause of the revolutionists. An interpretation that leads to such a mo onclusion will never be accepted by the American people. Mr. Dos Passos not only contends that the

President should have suppressed the revolution in Panama, but he insists also that it was the duty of the President, when he failed to obtain a satisfactory title from Colombia within a reasonable time and upon reasonable terms to have abandoned the idea of the construction of the canal along the preferred route and to have opened negotiations at once with Nicaragua for the inferior route. He says: What was the plain duty of the President under these circumstances? To open negotiations with Nicaragua. There is no loophole through which one can escape from this conclusion

Fortunately for the country the President and Secretary Hay were not viewing the situation through the spectacles of an attorney for the Niceragua route, nor were they looking for loopholes. They saw the new State of Panama, eager to secure to its people the inestimable benefits of the canal, holding out its

hands and proffering a treaty for the cession of the required territory on terms much more liberal than those rejected by Colombia. They knew that having been recognized as an independent State it had succeeded to all the former rights of Colombia, so far as the Isthmus was concerned. that the Spooner act, fairly and liberally construed according to the intention of Congress, authorized the President to accept the offer and obtain the primary object of the act. They knew further that in addition to and higher than the Spooner act the Constitution of the United States empowered the President to negotiate a treaty with Panama. Knowing these things they did their duty promptly; and that treaty, already ratified by Panama, is now before the Senate for its ratification

If Mr. Dos Passos could prove that his construction of the fourth section of the Spooner act was correct, he would prove too much, for in that event the section would be unconstitutional and therefore void. The Constitution provides:

He [the President] shall have power, by and with the advice and consent of the Senate, to make

The treaty making power is thus vested in the President and the Senate, and Congress can pass no law directing modifying or in any way affecting that power.

In this country legislative bodies have not an unlimited power of legislation. Constitutions exist which contain the supreme law. Statutes which contravene their provisions are void.—Southerland on Statutory Construction.

The Senate is now engaged in the consideration of the Panama treaty. If it ratifies it, the contract between the United States and Panama will be completed. It will then be-come the duty of Congress to take such action as may be necessary to carry out that contract, including provision for the payment of the purchase money in cash or bonds, as may be provided in the treaty. If bonds are issued for that purpose Mr. Dos Passos need have no fears as to their standing in the money market. The technicalities he raises as to

That the Senate will ratify the treaty promptly and that the United States will soon begin he prosecution of the great work which has been rendered possible by the wise and seasonable action of President Roosevelt and Secretary Hay are what the people of this country, without regard to party, desire and expect. J. S. TUCKER.

WASHINGTON, D. C., Dec 13. Advantages of Heterogeneous Immigra-

TO THE EDITOR OF THE SUN - Sir: Mr. Goldwin Smith, in his letter to THE SUN, says that the capacity of our public school system for the assimilation of immigration is likely to be severely tried, since immigration is so heterogeneous in character and immense in amount. He is a brilliant student of affairs, but it seems to me that he is mistaken in thinking that the number of races to be assimilated makes assimilation a graver problem. It appears to my mind that the very heterogeneous character of immigration makes its assimilation less difficult and more

When one race enters the home of another, racial prejudice and racial vanity will cause comparisons that are bitter and dangerous, as they are when two individuals are com-When there are several races in the field of comparison, ill-feeling cannot be so easily aroused. You may tell Mr. Jones that Mr. Smith is the most intelligent man in the street, and Mr. Jones will show no irritation at this comparison of Mr. Smith with himself and others. But tell Mr. Jones that Mr. Smith is more intelligent than he is, and you will straightway observe some symptoms of wounded varity.

While there are many races of immigrants to America, they may be greeted with prejudice, but it cannot be as bitterly shown and cannot continue as long as it would if there were only two elements concerned. One race will not continue to strut before all the others. and it is not likely that any two or three will unite in strong prejudice against the rest. When prejudice and bigotry are eliminated,

When prejudice and bigotry are eliminated, different races will readily associate and assimilation will be rapid.

As the number of immigrant races has taken the bitterness from prejudice against immigration, so also the establishment of the Jews has done away with the ill-feeling that existed between Catholics and Protestants in America. A religious body will not attack two others with the virulence that it can show toward an only rival, and it would be absurd for two religious elements to quarrel while there is a third in the field to laugh at the contestants. The Jewish immigration has been a blessing for this very reason, and the heterogeneous character of immigration is as great a blessing, since it has relieved us of the danger of racial, movements in the United NEW YORK, Dec. 13.

Defence of the Free Lecture Courses TO THE EDITOR OF THE SUN-Sir: The letter from "A Chemist," questioning the educational value of the public school lectures, surely shows a narry view. Few could suppose that Dr. Leipziger expects a course of chemistry lectures to turn ou practical chemists. Such argument would ectures on the Polar regions to possible Are explorers, and limit a course on the stellar sy to would be astronomers. Of the regular att

ants of the lecures a few take only certain of to learn of subjects in which they have a spe interest. If this were the only object of the syst the seeds of achievement would indeed be haze on stony ground. The masses reached, however reap a very different benefit. A study of any of the audiences tells the story. The vast majority are men and women whose lives are dominated by the narrowing routine of perpetual toil. Too tired at nightfall to study, with

little leisure and few opportunities, these worker find in the lectures a vast field opened to them

If in our younger days our brains were fed on
the classics, must we count the time as wasted because to-day we could not name offhand the chi dren of Uranus and have forgotten the cults of Zeus? Were our struggles with the "pons asinorum futile because geometrical problems have no dire use in our business? If the lectures can teach no subject deeply and do not fully equip with a scien tific training, "A Chemist" must not forget that they quicken the perceptive, imaginative and reasoning faculties of a great class of citizens, and thus their immense practical value cannot be ques

Interests dormant through environment are awakened, new interests are created, and a broadening influence softens the gross materialism of hard lives of continual labor

great things in the British Isles. The wond chievements of adult instruction by the now hampered authorities in plucky little Finland de-serve a place in history. But the New York Board of Education must take first honors for sustaining a system which in scope and method has no near GEORGE C. MUSGBAVE parallel in the world. NEW YORK, Dec. 13.

As One Republican Sees It.

To THE EDITOR OF THE SUN-Sir: It is to laugh Officeholders were to be eliminated from political eadership, and only disinterested patriots put it the rear, and last fall's winners or new goods were to be placed on the grocery counter. The Dunderberg mountain labored and has produced mice! Linn Bruce deposed, and Murray elevated. And Abe Gruber's reward for losing his district and everything in it has been paid by elevating one of the minority, which might have been a majority, into a job with real money in it. It is supposed that reason for this is because the name Mathews has a familiar and friendly sound to the Governor. Julius Mayer, who is giving up a political job, might have occupied the chairmanship, but the the Governor would have been consistent. Perish the thought! Consistency is only useful where

or only "Charile" Murray, as formerly? Simeor Ford and Mark Twain should be utilized to give expression to the sober convictions of the people tive to the changes made by the new boss NEW YORK, Dec. 18.

The Wisdom of Mother Goose.

Post now say? Is it to be Mr. Charles Murray now.

servile service can accompany it.

Jack and Jill went up the hill to get a pail of water.
"That just shows the cussedness of fate," he said as they waited for the ambulance. "If we had gonfor beer, there would probably have been a cop Sadly, they pondered on the trials of the atraight

and narrow path. Old Mother Hubbard had gone to the cupboard to get her poor doggie a bone.
"It doesn't matter," remarked the camine po litely; "I heard that young man say he was going to call on your daughter again to night."

Here we see the true history of how the catas: SHALL ALSO KEEP They Can' They at P Agitatio for chang Paragrapi

Ch

NE

TH

CHI

EN

AM

CL

IN

BES

OUI

whenever lively disc heavy yes Church, F other thin "The cl isn't senti to enforce should be lating it d It is useles of these t do not p dists will cards and It is hardprotest to ing these therefore, preach a re practice." Protest to by the Rev trustees of ing, who in eral Confe

bling, the

horseracin

now 83 year emotionshe ment resu the letter, h ing effect. The Rev. said: "Of co The Rev. cally that "An immedone shoul Methodists It was vo

the fault the person second off be accomp found guil tion, then NEW

Rall Sma Glant The Ame day from found aflo more than pest season and a sec rail was g She wa hours by mighty see In the wo ing away

> Rufus Smyrna, V cotton goo Miss Matt Robert J. Capt. Asa San Franc vice-presic Company. Japan and noney ma Freeman.
> O. Hurst.
> B. McLell
> Rainforth.

> > SPOIL

Offence f NEW O from Ros Signor Gis at Pittsbu St. Martin ordered b of the St. consuls m the result the recent Duke of t St. Mar with the nize as I American also, it is montese, are from to accept ner in hot Columbus to be abarthat St. M the city di It was home a I Italians in

BOX He Is Wan street, wh

entertain name of J tives O'H the reque ington po is wanted stolen jew Rodger to await t